

FLORIO PERRUCCI STEINHARDT & FADER LLC

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**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY**

JANE DOE 1, individual and on behalf of
all other persons similarly situated

Plaintiffs,

-vs-

BANC, JACK & JOE, LLC dba
TITILATIONS GO-GO-BAR, BANC
PERO, JOSEPH CARERI, JACK PERO,
ABC COMPANIES 1-10 and JOHN DOES
1-10,

Defendants.

Civil Action No. 17-3843 (KSH)(CLW)

CIVIL ACTION

**STIPULATED STATUTE OF
LIMITATIONS TOLLING
AGREEMENT AND ORDER**

On December 8, 2017, Plaintiff filed a motion to Conditionally Certify a class in this matter. (*ECF No. 14*). To give the Court more time to decide the motion without damaging or limiting the claims of any potential opt-in plaintiffs, the Plaintiff Jane Doe 1, individually and on behalf of all other persons similarly situated (Plaintiffs), and Defendants Banc, Jack & Joe, LLC d/b/a Titilations, Banc Pero, Joseph Careri, and Jack Pero (“Defendants”) hereby stipulate that the statute of limitations for any claim alleged in the Complaint as it applies to Plaintiff and all current and former exotic dancers who worked for Defendants at any time between May 31, 2014 to the present (“FLSA Class”) shall be tolled in accordance with this order.

Therefore, it is **ORDERED** as follows:

1. No statute of limitations on any claim alleged in the Complaint will run against any individual member of the FLSA Class from December 8, 2017 until fifteen (15) days after the date the current motion for conditional certification (*ECF No. 14*) is decided (the “Tolling Period”).

2. Defendants shall not put forward or rely upon the period of time during the Tolling Period as a bar, or laches or for any other purpose to defeat the claims made or to be made in this suit by the FLSA Class, either for liability or damages. Upon the expiration of the Tolling Period, all applicable time periods or other time period or other time-related defenses or

equitable doctrines otherwise tolled by this Order, shall again commence running provided, however, that the tolling effectuated by this Order survives its termination. To remove all doubt, in computing the statute of limitations for the FLSA Class, the number of days which elapse during the Tolling Period shall be excluded.

3. The claims and defenses of any party that existed as of December 8, 2017 are preserved from then until the end of the Tolling Period.

Respectfully submitted,

**FLORIO PERRUCCI STEINHARDT &
FADER, LLC**

BRACH EICHLER, L.L.C.

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Dated: 2/02/2018

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IT IS SO ORDERED.

HON. CATHY L. WALDOR, U.S.M.J.

Dated: _____, 2018